

AMENDED IN SENATE MAY 12, 1998

AMENDED IN SENATE APRIL 20, 1998

SENATE BILL

No. 1738

Introduced by Senator Kelley

February 18, 1998

An act to amend Section 19227 of, and to amend and repeal Section 19315 of, the Food and Agricultural Code, relating to licensed renderers, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 1738, as amended, Kelley. Renderers: transportation: fees.

Existing law requires various persons engaged in the pet food and horsemeat industry to be licensed by the Department of Food and Agriculture, including renderers and collection centers. The department is authorized to charge each licensed renderer and collection center an additional fee, not to exceed \$3,000 per year per each licensed rendering plant or collection center, to cover the costs of administering specified provisions relative to the pet food and horsemeat industry. These provisions will become inoperative on July 1, 2000, and will be repealed on January 1, 2001, unless a later enacted statute deletes or extends those dates. Existing law also permits the department to charge a fee, in addition to the registration fee for transporters of inedible kitchen grease, to cover the cost of administering the law relating to those persons and provides that the additional fee may not exceed \$300 per year per vehicle operated to

transport inedible kitchen grease, or \$3,000 per year for each registered transporter. Existing law continuously appropriates those fees and the additional fees authorized to be collected from rendering plants and collection centers to the department to carry out the programs for which they are collected.

This bill would extend the repeal of the additional fee imposed upon licensed renderers and collection centers to make those provisions inoperative on July 1, 2005, and would repeal those provisions on January 1, 2006, thereby making an appropriation. *The bill would delete the administration of provisions relating to pet food importers and dead haulers from the purposes to which the fees may be dedicated.* The bill would also make the fee imposed upon the transporters of inedible kitchen grease inoperative on July 1, 2005, and would repeal that fee on January 1, 2006. ~~The bill would require a $\frac{2}{3}$ vote because the bill would continue the authorization for the imposition of a state tax for the purposes of Article XIII A of the California Constitution.~~

Vote: $\frac{2}{3}$ —majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 19227 of the Food and
2 Agricultural Code is amended to read:
3 19227. (a) In addition to the license fee required
4 pursuant to Section 19225, the department may charge
5 each licensed renderer and collection center an
6 additional fee necessary to cover the costs of
7 ~~administering Article 5 (commencing with Section~~
8 ~~19280), Article 6 (commencing with Section 19300),~~
9 ~~Article 6.5 (commencing with Section 19310), Article 7~~
10 ~~(commencing with Section 19320), and Article 8~~
11 ~~(commencing with Section 19340). The additional fees~~
12 ~~administering Article 6 (commencing with Section~~
13 ~~19300) and Article 6.5 (commencing with Section 19310).~~
14 *The additional fees* authorized to be imposed by this
15 section may not exceed three thousand dollars (\$3,000)

1 per year per each licensed rendering plant or collection
2 center.

3 (b) The secretary shall fix the annual fee established
4 pursuant to this section and may fix different fees for
5 renderers and collection centers. The secretary shall also
6 fix the date the fee is due and the method of collecting the
7 fee. If an additional fee is imposed on licensed renderers
8 pursuant to subdivision (a) and an additional fee is
9 imposed on registered transporters pursuant to
10 subdivision (a) of Section 19315, only one additional fee
11 may be imposed on a person or firm that is both licensed
12 as a renderer pursuant to Article 6 (commencing with
13 Section 19300) and registered as a transporter of inedible
14 kitchen grease pursuant to Article 6.5 (commencing with
15 Section 19310), which fee shall be the higher of the two
16 fees.

17 (c) If the fee established pursuant to this section is not
18 paid within one calendar month of the date it is due, a
19 penalty shall be imposed in the amount of 10 percent per
20 annum on the amount of the unpaid fee.

21 (d) This section shall become inoperative on July 1,
22 2005, and, as of January 1, 2006, is repealed, unless a later
23 enacted statute, which becomes effective on or before
24 January 1, 2006, deletes or extends the dates on which it
25 becomes inoperative and is repealed.

26 SEC. 2. Section 19315 of the Food and Agricultural
27 Code is amended to read:

28 19315. (a) In addition to the registration fee required
29 by Section 19312, the department may charge an
30 additional fee necessary to cover the costs of
31 administering this article. Any additional fee charged
32 pursuant to this section shall not exceed three hundred
33 dollars (\$300) per year per vehicle that is operated to
34 transport kitchen grease, and shall not exceed three
35 thousand dollars (\$3,000) per year per registered
36 transporter.

37 (b) The secretary shall fix the annual fee established
38 pursuant to this section and may fix different fees for
39 transporters of inedible kitchen grease and collection
40 centers. The secretary shall also fix the date the fee is due

1 and the method of collecting the fee. If an additional fee
2 is imposed on licensed renderers pursuant to subdivision
3 (a) of Section 19227 and an additional fee is imposed on
4 registered transporters pursuant to subdivision (a), only
5 one additional fee may be imposed on a person or firm
6 that is both licensed as a renderer pursuant to Article 6
7 (commencing with Section 19300) and registered as a
8 transporter of inedible kitchen grease pursuant to this
9 article, which fee shall be the higher of the two fees.

10 (c) If the fee established pursuant to this section is not
11 paid within one calendar month of the date it is due, a
12 penalty shall be imposed in the amount of 10 percent per
13 annum on the amount of the unpaid fee.

14 (d) This section shall become inoperative on July 1,
15 2005, and, as of January 1, 2006, is repealed, unless a later
16 enacted statute, which becomes effective on or before
17 January 1, 2006, deletes or extends the dates on which it
18 becomes inoperative and is repealed.

